



PATENTS  
SHEM-99 CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT APPLICATION

Applicants : Sylvan R. Shemitz et al.  
Application No. : 10/645,749  
Confirmation No. : 9116  
Filed : August 20, 2003  
For : ASYMMETRIC DISTRIBUTION LUMINAIRE  
Group Art Unit : 2875  
Examiner : John A. Ward

Mail Stop AMENDMENT  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER  
UNDER 37 C.F.R. § 1.321(b,c)

Sir:

Sylvan R. Shemitz Designs, Inc., a corporation of the State of Delaware, having an office and place of business at 114 Orange Avenue, West Haven, Connecticut 06516, represents that it is the assignee of record of the entire, right, title and interest, by assignment, of the following issued United States patent and pending United States patent application:

1. U.S. Patent No. 6,652,118 for "ASYMMETRIC DISTRIBUTION LUMINAIRE," issued November 25, 2003 on Application No. 09/851,409, filed May 8, 2001. An assignment of the '409 application to Sylvan R. Shemitz Designs, Inc. was recorded on August 27, 2001 at Reel 12115, Frames 121-124.

10645749  
05/27/2004 ZHUHAR1 00000110 061075  
01 FC:2814 55.00 DA

2. Application No. 10/645,749 for "ASYMMETRIC DISTRIBUTION LUMINAIRE," filed August 20, 2003 as a continuation of Application No. 09/851,409, filed May 8, 2001. The assignment of the '409 application above is also effective for the '749 application as a continuation.

The undersigned, on behalf of Sylvan R. Shemitz Designs, Inc., hereby disclaims the terminal portion of any patent granted on the present application, Application No. 10/645,749, which would extend beyond May 8, 2021, the expiration date of the full statutory term of said earlier-issued Patent No. 6,652,118.

The undersigned, on behalf of Sylvan R. Shemitz Designs, Inc., agrees that any patent granted on the present application, Application No. 10/645,749, shall be enforceable only for and during such period as the legal title to such patent shall be the same as the legal title to said Patent No. 6,652,118, this agreement to run with any patent granted on Application No. 10/645,749 and to be binding upon the grantee of such patent and its successors and assigns.

The undersigned, on behalf of Sylvan R. Shemitz Designs, Inc., does not disclaim any terminal part of any patent granted on the above-identified application, Application No. 10/645,749, prior to May 8, 2021, the expiration date of the full statutory term of said earlier-issued Patent No. 6,652,118, in the event that said earlier-issued patent: (a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a,b), (e) has all claims canceled by a reexamination certificate, or (f) is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

The undersigned hereby states and certifies that:

1. He is an attorney of record in the above-identified patent application and is authorized to act on behalf of assignee corporation in connection with said application; and

2. The relevant evidentiary documents have been reviewed and, to the best of the undersigned's and assignee's knowledge and belief, title to the above-identified application, Application No. 10/645,749, is in assignee.

SYLVAN R. SHEMITZ DESIGNS, INC.



Garry J. Tuma  
Registration No. 40,210  
Attorney for Applicants  
and Assignee

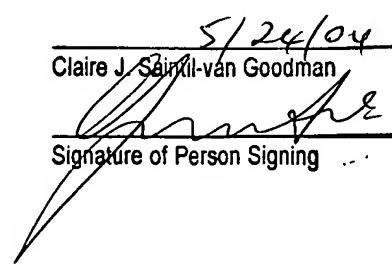
FISH & NEAVE  
Customer No. 1473  
1251 Avenue of the Americas  
New York, New York 10020-1104  
(212) 596-9000

New York, New York 10020

Date: MAY 24, 2004

I hereby certify that this  
Correspondence is being  
deposited with the U.S.  
Postal Service as First  
Class Mail in an envelope  
Addressed to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450 on

5/24/04  
Claire J. Seinkil-van Goodman

  
Signature of Person Signing

- [ ] A check in the amount of \$ \_\_\_\_\_ in payment of the fee for additional claims is transmitted herewith.
- A check in the amount of \$55.00 in payment of the statutory disclaimer filing fee specified in 37 C.F.R. § 1.20(d) is transmitted herewith.
- [ ] Please charge \$ \_\_\_\_\_ to Deposit Account No. 06-1075 in payment of the fee for additional claims. A duplicate copy of this transmittal letter is transmitted herewith.
- Please charge payment of any additional fees required under 37 C.F.R. § 1.16 in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

#### EXTENSION FEE

- [ ] The following extension fee is applicable to the Reply filed herewith: [ ] \$55.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [ ] \$210.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [ ] \$475.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [ ] \$740.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); [ ] \$1,005.00 extension fee for response within fifth month pursuant to 37 C.F.R. § 1.136(a).
- [ ] A check in the amount of [ ] \$55.00; [ ] \$210.00; [ ] \$475.00; [ ] \$740.00; [ ] \$1,005.00 in payment of the extension fee is transmitted herewith.
- [ ] Please charge the [ ] \$55.00; [ ] \$210.00; [ ] \$475.00; [ ] \$740.00; [ ] \$1,005.00 extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- Please charge payment of any additional extension fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

I hereby certify that this Correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope Addressed to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450 on

8/24/04  
Claire J. Saintilvan Goodman

Garry J. Tuma  
Signature of Person Signing

Garry J. Tuma  
Registration No. 40,210  
Attorney for Applicants

FISH & NEAVE  
Customer No. 1473  
1251 Avenue of the Americas  
New York, New York 10020-1105  
(212) 596-9000

The PTO did not receive the following listed items(s) A Check of \$55.00